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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/615,946	07/10/2003	Sami Tilander	60279.00142	1099
32294 7590 06/19/2007 SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER DUONG, OANH L	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 06/19/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/615,946

Applicant(s)

TILANDER ET AL.

Examiner

Oanh Duong

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 03/05/2007.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-26 are presented for examination.

#### ***Claim Objections***

2. Claims 3, 8 are objected to because of the following informalities: Acronyms "ATM", "UMTS" in claims 3, 8, 13, 17, 21, 24 should be defined. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-7, 9-16, 18-23, and 26 are rejected under 35 U.S.C. 102(e) as being anticipated by Constantinof et al. ("Constantinof"), US 6,822,961 B1.

Regarding claim 1, Constantinof teaches a method for establishing or modifying sessions in a telecommunications switching system, comprising the steps of:

collecting statistics associated with the use of session resources pertaining to said switching system (*i.e., when an SVC is used for a call, the cache manage updates link loading, switch loading and traffic level register, col. 9 lines 44-63*);

recording information to a connection cache pertaining to a session resource based on said statistics (*i.e., adding the SVC to the cache, col. 10 lines 1-6*);

checking in the processing of a session establishment or modification request said connection cache for at least one matching session resource (*i.e., determines whether the cache contains an idle and available cached SVC to server the connection request, col. 9line 25-30*); and

using said matching session resource in the establishment of at least one communication path pertaining to said session establishment or modification request (*i.e., if a cached SVC is available, the SVC is mapped to the connection, col. 9 lines 25-29*).

Regarding claim 2, Constantinof teaches the method according to claim 1, wherein at least one of said session resources is a cross-connection in a switch (Fig. 2 col. 5 lines 37-55).

Regarding claim 3, Constantinof teaches the method according to claim 2, wherein said cross connection is an ATM level virtual circuit connection and said switch is an ATM switching core (Fig. 10, col. 12 lines 9-25).

Regarding claim 4, Constantinof teaches the method according to claim 1, wherein at least one of said session resources is a connection to a computer unit hosting a digital signaling processing application (col. 5 lines 20-36).

Regarding claim 5, Constantinof teaches the method according to claim 1, wherein at least one of said session resources is a media stream processing means (col. 1 lines 30-32).

Regarding claim 6, Constantinof teaches the method according to claim 1, wherein said matching utilizes at least one quality of service parameter pertaining to the session request (col. 10 lines 7-64).

Regarding claims 7, Constantinof teaches the method according to claim 1, wherein said switching system is an ATM switching system (Fig. 10 col. 12 lines 9-26).

Regarding claim 9, Constantinof teaches the method according to claim 6, wherein said quality of service parameter is bitrate (col. 4 lines 48-50).

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Regarding claim 10, Constantinof teaches the method according to claim 4, wherein said computer unit is grouped into at least one computer unit group, computer units from said computer unit group being used for sessions associated with predefined incoming or outgoing connections col. 5 lines 37-50).

Regarding claims 11-16, and 18, those claims do not define or recite any limitation above claims 1-5, 6, and 10, discussed above, same rationale of rejection is applicable.

Regarding claims 19-23, and 26, those claims do not define or recite any limitation above claims 1-5, 6, and 10, discussed above, same rationale of rejection is applicable.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 8, 17, 24, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Constantinof, in view of Admitted Prior Art ("APA").

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Regarding claim 8, Constantinof teaches the method according to claim 1, Constantinof does not explicitly teach switching system is a UMTS radio network controller.

APA teaches switching system is a UMTS radio network controller (page 2 paragraphs [0009]-[0010]).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to incorporate the UMTS radio network controller as taught by APA into Constantinof's system because it was conventionally employed in the art to provide macro diversity combining, ciphering/deciphering, channel allocation, etc.

Regarding claims 17, 24, and 25, those claims recite limitation that are substantially the same as claim 8, same rationale of rejection is applicable.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Oanh Duong whose telephone number is (571) 272-3983. The examiner can normally be reached on Monday- Friday, 9:30PM - 6:00PM.

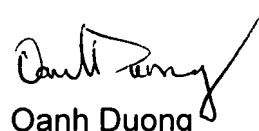
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Oanh Duong  
June 10, 2007